

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, OCTOBER 16, 2008**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, October 16, 2008, at 9:45 a.m. Present were Commissioners David Gray, *Vice President*; Kai Hagen, Charles Jenkins and John Thompson, Jr. Also present was Barry Stanton, Assistant County Manager and Mary Baker, Recording Secretary.

(Official minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes are available on the county's website. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the county's website at www.co.frederick.md.us)

NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

COMMISSIONERS COMMENTS

None.

AGENDA BRIEFING

Staff briefed the Board on the following public hearing items scheduled for Tuesday, October 21, 2008, at 7:00 p.m.:

- Amendments and Consolidation of the Human Relations Ordinance – Henry Templeton, Citizens Services Division
- 2009 Legislative Package – John Mathias, County Attorney

CONSENT AGENDA

The following items were on the consent agenda:

BID AWARDS

1. Purchasing Memo #09-77 – Indefinite Delivery/Quantity On Call Continuing Services with RCC Consultants (Piggyback Contract)
Award to: RCC Consultants of Woodbridge, New Jersey
Award amount: \$39,971.70
2. Purchasing Memo #09-79 - Bid #09-CP-59, Roof Replacement at Frederick County Health Department
Award to: Heritage Roofing, Inc.
Award amount: \$180,065.00

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BUDGET TRANSFERS

1. BT-09-068, Citizens Services Division
2. BT-08-237, Citizens Services Division

CHANGE ORDER

1. FY 2008 Tar and Chip of Various County Roadways, Contract No. C29918 Change Order No. 1 – Chuck Nipe and Tom Meunier, Public Works Division

MISCELLANEOUS

1. PAYSTATE Carry – Forward Funds Retention Request – Stanley Fultz, Maryland Cooperative Extension

Commissioner Thompson requested the motions be divided.

Commissioner Gray moved to approve the consent agenda as presented with the exception of the miscellaneous item. Commissioner Hagen seconded the motion that passed 5-0.

Commissioner Hagen moved to approve the miscellaneous item as presented. Commissioner Gray seconded the motion that passed 3-2 with Commissioners Jenkins and Thompson opposed.

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners Meeting Minutes

The Board unanimously approved the minutes as presented.

Installment Purchase Program Agreement, Harrington Property – Tim Blaser, Planning Division and Timmy Ruppertsberger, Venable LLP (County Bond Counsel)

Mr. Blaser and Ms. Ruppertsberger presented information to the Board regarding Resolution #08-29, Harrington Properties, LLC.

Commissioner Gray moved to approve Resolution #08-29 as presented in the staff report. Commissioner Hagen seconded the motion that passed 5-0.

Mr. Blaser requested an amendment to Resolution #08-27, Guyton Farms that was approved Tuesday, October 9, 2008. The amendment was due to a change in cost of \$5.00. The listed cost was \$505.00, but should have been \$510.00.

Commissioner Gray moved to approve the amendment to Resolution #08-27; increasing the amount from \$505.00 to \$510.00 Commissioner Hagen seconded the motion that passed 5-0.

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(A copy of Resolutions #08-27 and #08-28 can be obtained in the County Manager's office or from the county's website, www.co.frederick.md.us)

Monrovia Town Center Proposed Design Revisions to the Bush Creek Interceptor - Kevin Demosky, Rodney Winebrenner and Mark Williams, Utilities and Solid Waste Management Division

Mr. Demosky and Mr. Winebrenner presented the staff report to the Board.

Commissioner Thompson moved to deny the amendment executing a Design Public Works Agreement with the Monrovia Town Center Developers. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Jenkins opposed.

WORKSESSION

Appointments/Reappointments to Boards, Commissions, Committees - Joyce Grossnickle, County Manager's Office

Adult Public Guardianship Review Board

There was no public comment.

Commissioner Gray moved to appoint Dr. Sangwoon Han to fill an unexpired term to expire June 30, 2010. Commissioner Hagen seconded the motion that passed 5-0.

Frederick County Advisory Plumbing Board

There was no public comment.

Commissioner Thompson recused himself from this item.

Commissioner Gray moved to support the staff recommendation to appoint Mr. David Haller to serve a term to expire June 30, 2011. Commissioner Hagen seconded the motion that passed 3-1 with Commissioner Jenkins opposed.

Commissioner Gardner requested an e-mail be sent to Gary Hessong, Permitting and Development Review Division, to have the Advisory Plumbing Board weigh in on the combined inspection issue.

Monocacy Scenic River Local Citizens Advisory Board

There was no public comment.

Commissioner Jenkins moved to appoint Mr. Jim Trout. Motion failed due to lack of a second.

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Commissioner Hagen moved to support the staff recommendation to appoint Ms. Eileen Meier to serve a term to expire April 21, 2011. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Jenkins opposed.

Small Business Revolving Loan Review Committee

There was no public comment.

Commissioner Gray moved to support the staff recommendation to appoint Mr. James Bear to serve a term with no expiration. Commissioner Hagen seconded the motion that passed 5-0.

Solid Waste Advisory Committee

There was no public comment.

Commissioner Hagen moved to support the staff recommendation to appoint Alderman Alan Imhoff to serve a term to expire September 30, 2010. Commissioner Gray seconded the motion that passed 5-0.

COMMISSIONERS COMMENTS

Commissioner Thompson advised the Board about an issue regarding the Frederick County Teachers Association where a teacher refused to sign recommendation letters for seniors entering college.

Commissioner Gardner advised the Board she attended a growth task force meeting Wednesday, October 15, 2008.

PUBLIC COMMENTS

- Mike Smariga of Harris and Smariga Associates, Inc.
- Mark Friis, Monocacy River Ventures

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:05 p.m.

Respectfully submitted,

Mary E. Baker
Recording Secretary